GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA

UNSTARRED QUESTION NO:3495
ANSWERED ON:14.08.2000
OZONE DEPLETING
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Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government have decided to come out with notifying the Ozone Depleting Substances (Regulation) Rules;

(b) if so, the details thereof;

(c) the details of the international convention signed in this regard; and

(d) the reasons for the inordinate delay ?

Answer

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI BABU LAL MARANDI)

(a), (b) & (c) India ratified the Vienna Convention for the Protection of the Ozone Layer on June 19, 1991 and the Montreal Protocol on Substances that Deplete the Ozone Layer on September 17, 1992. The Ozone Depleting Substances (Regulation and Control) Rules 2000 have been notified in the Gazette of India on 19th July, 2000. Important provisions of these Rules are given as under:

i) The Rules prohibit the use of chlorofluorocarbons (CFCs) in manufacturing various products beyond 1.1.2003 except for use in metered dose inhaler and other medical uses. Similarly use of halons are prohibited after 1.1.2001 except for essential use. Other Ozone Depleting Substances (ODS) such as carbon tetrachloride, methyl chloroform and CFC (in metered dose inhalers) can be used for manufacture of products upto 1.1.2010. Further, the use of methyl bromide has been allowed upto 1.1.2015. Since hydrochlorofluorocarbons (HCFCs) are used as interim substitute to replace CFCs these are allowed to be used upto 1.1.2040.

ii) Rules also regulate production of Ozone Depleting Substances. They are to be phased out by 2010.

iii) The Rules have provisions for compulsory registration of ODS producers, manufacturers of ODS based products, importers, exporters, stockist and sellers, and the same provision is applicable to manufacturers, importers and exporters of compressors.

iv) The Rules provide for maintaining records and filing of periodic reports for monitoring production and use of ODS.

v) Rules also mandate that enterprises which have received financial assistance from Multilateral Fund have to register the date of completion of their project and to declare that the equipment used for ODS has been destroyed.

vi) Rules prohibit creation of new capacity or expansion of capacity of manufacturing facilities of ODS and ODS based equipment.

vii) Purchasers of ODS for manufacturing products containing ODS, have to declare the purpose for which ODS is purchased.

viii) Trade in ODS with non Parties to the Montreal Protocol is prohibited.

ix) Authority has been specified to issue licence for all imports and exports of ODS and products containing ODS.

d) The gradual phaseout strategy for production of CFCs in India was approved by the Executive Committee of the Montreal Protocol in November, 1999. The draft notification published in April 1998 has been updated by incorporating the provisions to regulate and control the production of CFCs. The revised draft rules were published in the Gazette of India 25th Jan, 2000 for public comments. The final notification has been published in the Gazette of India on 19th July 2000.